

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PRODRUGS OF 3-(PYRROL-2-YLMETHYLIDENE)-2-INDOLINONE DERIVATIVES

(Attorney Docket No. 038602-1149)

the specification of which (check one)

       is attached hereto.

  X   was filed on 05/24/2001 as United States Application Number or PCT International Application Number 09/863,819 and was amended on            (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/225,045	08/11/2000
60/207,000	05/24/2000

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents of the law firm of FOLEY & LARDNER:

STEPHEN A. BENT	Reg. No.	29,768
DAVID A. BLUMENTHAL	Reg. No.	26,257
BETH A. BURROUS	Reg. No.	35,087
ALAN I. CANTOR	Reg. No.	28,163
WILLIAM T. ELLIS	Reg. No.	26,874
JOHN J. FELDHAUS	Reg. No.	28,822
MICHAEL D. KAMINSKI	Reg. No.	32,904
LYLE K. KIMMS	Reg. No.	34,079
KENNETH E. KROSIN	Reg. No.	25,735

JOHNNY A. KUMAR	Reg. No.	34,649
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STEPHEN B. MAEBIUS	Reg. No.	35,264
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GEORGE E. QUILLIN	Reg. No.	32,792
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CHARLES F. SCHILL	Reg. No.	27,590
RICHARD L. SCHWAAB	Reg. No.	25,479
MICHELE M. SIMKIN	Reg. No.	34,717
HAROLD C. WEGNER	Reg. No.	25,258

And Leslie Mooi, Reg. No. 37,047, and Rekha Bansal, Reg. No. 36,440 of Sugen, Inc.,

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Beth A. Burrous  
**FOLEY & LARDNER**  
 Washington Harbour  
 3000 K Street, N.W., Suite 500  
 Washington, D.C. 20007-5109

Telephone: (202) 672-5475  
 Facsimile: (202) 672-5399

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Malcolm Wilson MOON
Residence	Kalamazoo, MI
Citizenship	USA
Post Office Address	3750 Rosemere Street Kalamazoo, MI 49004
Inventor's signature	<i>Malcolm W Moon</i>
Date	21 September 2001

Name of second inventor	Walter MOROZOWICH
Residence	Kalamazoo, MI
Citizenship	USA
Post Office Address	5300 Chicadee Kalamazoo, MI 49004
Inventor's signature	<i>Walter Morozowich</i>
Date	<i>September 18, 2001</i>
Name of third inventor	Ping GAO
Residence	Portage, MI
Citizenship	People's Republic of China
Post Office Address	7191 Crown Point Portage, MI 49024
Inventor's signature	<i>Ping Gao</i>
Date	<i>9-18-01</i>
Name of fourth inventor	Marcel KOENIG
Residence	Burlingame, CA
Citizenship	Switzerland
Post Office Address	821 El Camino Real, #206 Burlingame, CA 94020
Inventor's signature	<i>M Koenig</i>
Date	<i>9/24/01</i>



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

BAR  
336021/149

DECEMBER 11, 2001

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

FOLEY & LARDNER  
BETH A. BURROUS  
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WASHINGTON, D.C. 20007-5109



\*101870896A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

15439 U.S. PTO  
10/774415  
021004

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/02/2001

REEL/FRAME: 012227/0729  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MOON, MALCOLM WILSON

DOC DATE: 09/21/2001

ASSIGNOR:

MOROZOWICH, WALTER

DOC DATE: 09/18/2001

ASSIGNOR:

GAO, PING

DOC DATE: 09/18/2001

ASSIGNOR:

KOENIG, MARCEL

DOC DATE: 09/24/2001

ASSIGNEE:

SUGEN INCORPORATED  
230 EAST GRAND AVENUE  
SOUTH SAN FRANCISCO, CALIFORNIA

94080

ASSIGNEE:

PHARMACIA & UPJOHN COMPANY  
301 HENRIETTA STREET  
KALAMAZOO, MICHIGAN 49001

SERIAL NUMBER: 09863819  
PATENT NUMBER:

FILING DATE: 05/24/2001  
ISSUE DATE:

TONYA LEE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

FORM PTO-1595 (modified)

(Rev 6-93)

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

# RECORDATION FORM COVER SHEET PATENTS ONLY

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copies thereof.

## 1. Name of conveying party(ies):

Malcolm Wilson Moon 9/21/01  
Walter Morozowich 9/18/01  
Ping Gao 9/18/01  
Marcel Koenig 9/24/01

Additional conveying party(ies) NO

## 2. Name and address of receiving party(ies):

SUGEN INCORPORATED  
230 East Grand Avenue  
South San Francisco, CA 94080

PHARMACIA & UPJOHN COMPANY  
301 Henrietta Street  
Kalamazoo, Michigan 49001

Additional name(s) & address(es) attached? NO

## 3. Nature of conveyance:

ASSIGNMENT

Execution Date:

## 4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is:

A. Patent Application Number(s):

09/863,819

B. Patent Number(s):

Additional numbers attached? NO

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Beth A. Burrous  
FOLEY & LARDNER  
Washington Harbour  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5109

## 6. Total number of applications/patents involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00

☒ Check Enclosed

Charge to deposit account

8. Deposit account number: 19-0741

DO NOT USE THIS SPACE

## 9. Statement and signature:

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.*

Beth A. Burrous

Name of person signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 5

## ASSIGNMENT - WORLDWIDE

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

PHARMACIA & UPJOHN COMPANY  
301 Henrietta Street  
Kalamazoo, Michigan 49001

its successors and assigns, the entire right, title and interest, so far as concerns the United States and the Territories and Possessions thereof and all foreign countries in and to the invention in

## PRODRUGS OF 3-(PYRROL-2-YLMETHYLIDENE)-2-INDOLINONE DERIVATIVES

as set forth in this United States Patent Application

- ☐ executed concurrently herewith  
☐ executed on \_\_\_\_\_  
☒ Serial No. 09/863,819 filed May 24, 2001

said application for United States Letters Patent, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or upon said applications, and any and all Letters Patent and reissues and extensions of Letters Patent granted for said inventions or upon said applications and every priority right that is or may be predicated upon or arise from said inventions, said applications, and said Letters Patent; said Assignee being hereby authorized to file patent applications in any or all countries on any or all said inventions in the name of the undersigned or in the name of said Assignee or otherwise as said Assignee may deem advisable, under the International Convention or otherwise; the Commissioner of Patents and Trademarks of the United States of America being hereby authorized to issue or transfer all said Letters Patent to said Assignee in accordance herewith; this assignment being under covenant, not only that full power to make the same is had by the undersigned, but also that such assigned right is not encumbered by any grant, license, or other right theretofore given, and that the undersigned will do all acts reasonably serving to ensure that the said inventions, patent applications and Letters Patent shall be held and enjoyed by said Assignee as fully and entirely as the same could have been held and enjoyed by the undersigned if this assignment had not been made, and particularly to execute and deliver to said Assignee all lawful documents including petitions, specifications, oaths, assignments, invention disclaimers, and lawful affidavits in form and substance which may be requested by said Assignee, to furnish said Assignee with all facts relating to said inventions or the history thereof and any and all documents, photographs, models, samples or other physical exhibits which may be of said inventions,



and to testify in any proceedings relating to said inventions, patent applications and Letters Patent.

The undersigned hereby grant the firm of FOLEY & LARDNER the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

NAMES AND SIGNATURES OF INVENTORS		
Name: Malcolm Wilson MOON	Signature: <i>Malcolm W Moon</i>	Date: 9/21/2001
Name: Walter MOROZOWICH	Signature: <i>Walter Morozowich</i>	Date: 9/18/2001
Name: Ping GAO	Signature: <i>Ping Gao</i>	Date: 9/18/01
Name:	Signature:	Date:
NAMES AND SIGNATURES OF WITNESSES		
Name: DEBRA J. MARQUETTE	Signature: <i>Debra J. Marquette</i>	Date: 9-21-01
Name: DEBRA J. MARQUETTE	Signature: <i>Debra J. Marquette</i>	Date: 9-18-01
Name: DEBRA J. MARQUETTE	Signature: <i>Debra J. Marquette</i>	Date: 9-18-01

Note: Prima facie evidence of execution may optionally be obtained by execution of this document before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by a certificate from a U.S. Consul.

# ASSIGNMENT - WORLDWIDE

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

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South San Francisco, California 94080

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as set forth in this United States Patent Application

- ☐ executed concurrently herewith
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- ☒ Serial No. 09/863,819 filed May 24, 2001

said application for United States Letters Patent, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or upon said applications, and any and all Letters Patent and reissues and extensions of Letters Patent granted for said inventions or upon said applications and every priority right that is or may be predicated upon or arise from said inventions, said applications, and said Letters Patent; said Assignee being hereby authorized to file patent applications in any or all countries on any or all said inventions in the name of the undersigned or in the name of said Assignee or otherwise as said Assignee may deem advisable, under the International Convention or otherwise; the Commissioner of Patents and Trademarks of the United States of America being hereby authorized to issue or transfer all said Letters Patent to said Assignee in accordance herewith; this assignment being under covenant, not only that full power to make the same is had by the undersigned, but also that such assigned right is not encumbered by any grant, license, or other right theretofore given, and that the undersigned will do all acts reasonably serving to ensure that the said inventions, patent applications and Letters Patent shall be held and enjoyed by said Assignee as fully and entirely as the same could have been held and enjoyed by the undersigned if this assignment had not been made, and particularly to execute and deliver to said Assignee all lawful documents including petitions, specifications, oaths, assignments, invention disclaimers, and lawful affidavits in form and substance which may be requested by said Assignee, to furnish said Assignee with all facts relating to said inventions or the history thereof and any and all documents, photographs, models, samples or other physical exhibits which may be of said inventions,

and to testify in any proceedings relating to said inventions, patent applications and Letters Patent.

The undersigned hereby grant the firm of FOLEY & LARDNER the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

NAMES AND SIGNATURES OF INVENTORS		
Name: Marcel KOENIG	Signature: <i>M. Koenig</i>	Date: 9/24/01
Name:	Signature:	Date:
NAMES AND SIGNATURES OF WITNESSES		
Name: MARYJANE NICOLAS-CARRION	Signature: <i>Mary Jane Nicolas-Carrion</i>	Date: 09/24/01
Name:	Signature:	Date:

*Note: Prima facie evidence of execution may optionally be obtained by execution of this document before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by a certificate from a U.S. Consul.*